



Order Filed on April 2, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE
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Attorneys for Movant
THE BANK OF NEW YORK MELLON FKA THE
BANK OF NEW YORK AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2005-J11
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2005-J11

In Re:

Katherine B. Graham,

Debtors.

Case No.: 17-24550 MBK
Adv. No.:
Hearing Date: 9/26/17 @10:00 a.m.

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTORS'
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: April 2, 2018

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor:

Case No.:

Caption:

Katherine B. Graham

17-24550 MBK

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTORS' CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2005-J11 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-J11, holder of a mortgage on real property located at 260 Prospect Avenue, Princeton NJ 08540, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Scott Eric Kaplan, Esquire, attorney for Debtor, Katherine B. Graham, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtors shall obtain a loan modification within six months from the date of confirmation; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Debtor is to make regular post-petition payments in accordance with the terms of the note and mortgage while the loan modification is pending; and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its right to collect pre-petition arrears in the event loss mitigation negotiations are unsuccessful; and

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Debtors:

Case No.:

Caption:

Katherine B. Graham

17-24550 MBK

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTORS' CHAPTER 13 PLAN**

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if loss mitigation is unsuccessful, Debtors shall modify the plan to address Secured Creditor's pre-petition arrears, either by curing the arrears, selling the property, surrendering the subject property, or in a manner otherwise permitted by the code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Katherine B Graham
Debtor

Case No. 17-24550-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Apr 04, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2018.

db +Katherine B Graham, 260 Prospect Avenue, Princeton, NJ 08540-5304

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 06, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 4, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Andrew M. Lubin on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2005-J11 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-J11 bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2005-J11 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-J11 dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Scott E. Kaplan on behalf of Debtor Katherine B Graham scott@sekaplanlaw.com, felisha@sekaplanlaw.com, sekparalegal@gmail.com, blum_rick@yahoo.com, anthonyinicpa@gmail.com
U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 5